

TOWN OF HARRISVILLE

RECYCLING FACILITY ORDINANCE

Adopted June 10, 2014 by Board of Selectmen. [Originally Adopted September 14, 1989 by Board of Selectmen.]

Pursuant to the authority of R.S.A. 31:39, R.S.A. 147, and R.S.A.149-M:13, II. the Town of Harrisville hereby adopts the following regulations for the operation of its public disposal facility to be known as the Landfill-Recycling Facility. The Recycling Facility is operated as a recycling center and transfer station under a permit with the State of New Hampshire Department of Environmental Services.

1. ACCESS TO THE FACILITY

- 1.1. The Recycling Facility is established and maintained for the use of persons with a legal Harrisville address and for non-resident property owners. Others using the facility including commercial users and non-resident visitors will be charged fees for each use.
- 1.2. Admission to and use of the facility requires a numbered permit issued annually by the Town of Harrisville to an appropriate person, business or institution. Users of the facility may be required to provide proof of legal residence and/or property ownership to obtain a permit. The fee for annual permits will be set by the Board of Selectmen each year. In special circumstances the fees may be waived by the Board of Selectmen.
- 1.3. All permits used by year-round residents must be attached to a motor vehicle and must be visible. Permits issued to seasonal residents that are not attached to a vehicle must be presented to the facility manager at the time of use.
- 1.4. The facility will be open during the days and hours established from time to time by the Board of Selectmen in consultation with the Recycling Center Manager.

2. SUPERVISION AND CONTROL

- 2.1. The Recycling Center Manager and Attendants shall have the right to refuse the use of the facility to any person, corporation or other user who is misusing the facility, or is violating this ordinance, or who does not hold a valid permit. Any user who refused to obey the legitimate orders of the attendants shall be in violation of this ordinance.
- 2.2. The Recycling Center Manager and Attendants shall have the right to open for inspection any containers or bags to establish the acceptability of materials brought to the facility for disposal.

3. UNACCEPTABLE MATERIALS

- a) Harmful, hazardous or toxic substances (as determined by NH DES Waste Management Bureau) will not be accepted. Disposal of these materials must be at a facility equipped to receive them. Harrisville contracts with the Keene Recycling Center to accept these materials at designated times during the year, as posted in the Keene Sentinel.
- b) Only solid waste generated within the limits of the Town of Harrisville shall be disposed of or recycled at the facility. The Recycling Facility will not accept material originating in other Towns.
- c) Solid waste is defined by the New Hampshire Code of Administrative Rules, except that it shall not include septage, sludge, other liquid wastes and waste materials generated by industrial operations.

4. SEPARATION

- 4.1. All solid waste brought to the facility for disposal shall be separated into the categories and deposited into designated containers or locations as the Landfill-Recycling attendants direct. At a minimum, materials to be recycled, such as glass, paper, cardboard, and metals, will be separated from trash, demolition debris and other solid waste.
- 4.2. The Recycling Center Manager will adjust the categories into which materials must be separated periodically in response to market conditions and State law, and will post these categories.
- 4.3. Solid waste not acceptable for recycling at the facility may be subject to additional tipping fees as the Board of Selectmen, in consultation with the Recycling Center Manager may establish. Such fees are payable upon demand at the time of disposal, and will be based on a published tipping fee schedule.

5. COMMERCIAL USE

- 5.1. Commercial use of the facility occurs when users are disposing of material on behalf of others for a fee, or are compensated by others for their use of the facility.
- 5.2. All persons or corporations engaged in the commercial use of the facility must obtain a commercial permit annually from the Board of Selectmen, after payment of such permit fees as the Board of Selectmen, in consultation with the Recycling Center Manager may establish.
- 5.3. Commercial users violating these regulations will result in the revocation of permit for 30 days upon the first offense for 30 days and for one year upon a second offense.
- 5.4. Commercial use of the facility is subject to all additional fees as may be levied on other users.

6. FEES FOR FAILURE TO RECYCLE

- 6.1. Fees, payable upon demand, will be charged to the holder of a valid permit for unsorted recyclable material brought to the facility: Fees will be established by the Recycling Center Manager in consultation with the Board of Selectmen, and be posted at the facility. Fees may include:
 - 6.1.1.A per bag fee for material in bags delivered in any passenger vehicle or light truck.
 - 6.1.2.A per trip fee for loose material delivered in any truck, vans, and trailer.

7. FEES FOR FAILURE TO DISPLAY A VALID PERMIT

- 7.1. Fees, payable upon demand, will be charged to the user for material brought to the facility: Fees will be established by the Recycling Center Manager in consultation with the Board of Selectmen, and be posted at the facility. Fees may include:
 - 7.1.1.A per bag fee for material in bags delivered in any passenger vehicle or light truck.
 - 7.1.2.A per trip fee for loose material delivered in any truck, vans, and trailer.

8. PENALTIES

- 8.1. Any person or corporation violating any provision of this Ordinance or the valid directives of the Landfill Attendants may be punished by a fine of \$100.00 for each violation payable to the Town of Harrisville. Additional fines may be levied for trespass and illegal dumping.
- 8.2. Anyone entering the facility when the Recycling Center is not open to the public is guilty of trespass and shall be charged a fine of \$200.00 (two hundred dollars).

8.3. Discharging solid waste outside the Recycling Center or on the premises in other than designated areas is a violation of this Ordinance and subject to a \$200.00 (two hundred dollar) fine.

9. AMENDMENTS

9.1. This Ordinance may be amended or rescinded by a majority vote of the Board of Selectmen following a public hearing, notice of which shall be posted in two public places and published in one newspaper of general circulation.

10. SEPARABILITY

The invalidity of any provisions of this Ordinance shall not affect the validity of any other provision nor the validity of the Ordinance as a whole.

By Order of the Board of Selectmen
June 10, 2014

Jay Jacobs

Charles Michal

Seth Kallman